

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

1) JESUS and CLAUDIA HERRERA,)	
)	
Plaintiffs,)	
)	
v.)	Case No. CIV-2008-266-D
)	
2) ALLSTATE INDEMNITY COMPANY,)	
)	
Defendant.)	

**AGREED ORDER REGARDING
PLAINTIFFS' FIRST AND SECOND MOTIONS TO COMPEL**

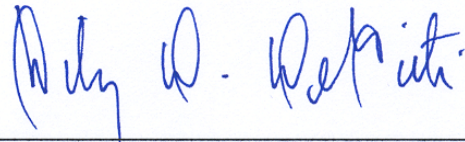
On the 31st day of August, 2009, the parties appeared before the Court upon Plaintiffs' First and Second Motions to Compel. As ordered by the Court, the parties conferred prior to appearing before the Court to see what issues could be resolved informally. The parties came to an agreement as to all items subject to Plaintiffs' First and Second Motions to Compel. Therefore, based on the agreement of the parties, the Court finds that Plaintiffs' First and Second Motions to Compel are GRANTED in accordance with the agreement of the parties as follows:

- 1) At present, Defendant does not know the whereabouts of the agent's file related to Plaintiffs' claim at issue in this lawsuit and believes said agent's file may have been lost or destroyed. Defendant will determine what happened to said agent's file and provide such information to Plaintiffs within thirty (30) days of this Order.
- 2) Defendant will produce copies of the checks issued to Plaintiffs on the claim at issue in this lawsuit within fifteen (15) days of this Order.
- 3) Defendant will produce claims handling guidelines and training materials provided to Pilot catastrophe adjusters, including training materials regarding the duty of good faith and fair dealing, within thirty (30) days of this Order.

- 4) Defendant will produce the underwriting file related to Plaintiffs' policy at issue in this lawsuit and underwriting guidelines regarding tile roofs within thirty (30) days of this Order.
- 5) Defendant will produce a verification for its answers to Plaintiffs' Interrogatories within fifteen (15) days of this Order.

WHEREFORE, Defendant Allstate Indemnity Company is ordered to produce the documents above within the time frames specified above.

DATED: September 9, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE